

REMARKS

The Applicant now files a Supplemental Amendment and Response. In a telephone interview with Examiner Wood on 10 August 2006, permission was granted to Robert Goetz, the Applicant's attorney of record, to file a Supplemental Amendment and Response for the present application. In the Restriction Requirement Response filed July 26, 2006 in response to the Restriction Requirement issued May 26, 2006, the Applicant selected Group III (drawn to a method of treating a disease) and elected the species "type 1 diabetes," "rapamycin," and "TSC2."

The Applicant now cancels Claims 19-33 and provides new Claims 34-50. New Claims 34-50 describe, for example, methods of treating a disease involving administration of an agent that reduces cellular ATP levels. Support for new Claims 34-48 is located throughout the Specification at, for example, paragraph [0186]. Support for new Claims 49 and 50 is located, for example, in the Specification at paragraphs [0004, 0006, and 0009].

In addition, Applicant elect "type 2 diabetes" as a particular disease, "mTOR" as a defective element of the cellular energy pathway, and elect "rapamycin" as a particular agent. Claims 34, 35, 45, 47 and 49 are readable upon the species selections. As this is a species election, the remaining non-elected species will be examined, should the elected species be found allowable.

CONCLUSION

Should the Examiner believe that a telephone interview would aid in the prosecution of this application Applicants encourage the Examiner to call the undersigned collect at (608) 218-6900.

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